IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1770 OF 2003

M/s.Spark Auto Works ...Petitioner
Vs.
The State of Maharashtra & Ors. ...Respondents

Mr.V.S.Kapse for Petitioner
Mr.P.M. Mokashi for Respondents 1 to 3

CORAM: SMT. ROSHAN DALVI, J.
DATED: 10TH FEBRUARY, 2006

P.C.

1. Mr.Kapse for the Petitioner has produced the original birth certificate of the child who was found working in, what has been stated to be, a hazardous occupation in the garage of the Petitioner. The raid by the Authorities was on 13th December 2001 on which day notice under the Child Labour (Prevention and Regulation) Act, 1986 was issued upon the Petitioner.

2. The Petitioner is not seen to have employed any child labourer in his garage since the birth certificate shows that the child was born on 30th June 1987 and was fourteen and half years old on the date of the raid and accordingly does not fall within the margin of the said Act. The original birth certificate is returned to the Petitioner's Advocate and the Xerox copy verified from the original is taken on record. The Petition is disposed of in terms of prayer (a) since the child is not seen to be covered by the Act.

. Rule made absolute accordingly.

(ROSHAN DALVI,J.)